



Corporation of the Town of Newmarket

By-law 2024-XX

A By-law to amend By-law Number 2010-40, as amended, being the Town's Comprehensive Zoning By-law (1041 & 1051 Davis Drive and 15 & 23 Hamilton Drive).

Whereas the Council of the Town of Newmarket has the authority pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to pass this By-law;

And whereas it is deemed advisable to amend By-law 2010-40, as amended;

Therefore be it enacted by the Council of the Corporation of the Town of Newmarket as follows:

1. That the lands subject to this amendment are illustrated on Schedule 1 attached hereto (Subject Lands);
2. That By-law 2010-40, as amended is hereby amended by:
 - a. Deleting from Schedule A Map No. 6 the Residential Detached Dwelling 18M (R1-D) Zone on the subject lands and substituting therefore the Residential Townhouse Dwelling 3 Zone (R4-R-177) as shown on Schedule '1' attached hereto, and forming part of this By-law.
 - b. Adding the following regulations to Section 8.1.1 List of Exceptions:

Exceptions 164	Zoning R4-R-177	Map 6	By-law Reference 2024-XX	File Reference OPZS-2024-003
i)	Location: North side of Davis Drive and east side of Hamilton Drive (1041 & 1051 Davis Drive and 15 & 23 Hamilton Drive)			
ii)	Legal Description: LT 13 PL 385, PT LTS 10 & 11 PL 385; PT LT 12 PL 385			
iii)	Notwithstanding any other provision of the By-law to the contrary, the following provisions shall apply to the lands zoned R4-R-177 shown on Schedule '1' attached here to:			
Development standards:				
a)	Minimum lot area (per unit)			n/a
b)	Number of townhouse units (maximum)			24
c)	Minimum lot frontage (Davis Drive)			66.7 m
d)	Minimum lot frontage on a private road:			4.5 m

e) Setback from north property line – minimum:	2.6 m
f) Setback from south property line (Davis Drive) – minimum	3 m
g) Setback from west property line (Hamilton Drive) – minimum	
1. Any end unit facing Hamilton Drive	4.5 m
2. Any front façade facing Hamilton Drive	5.5 m
h) Setback from east property line – minimum	
1. Any end unit facing east property line	4.5 m
2. Any rear façade facing east property line	9.5 m
i) Setback from private road – minimum	6 m
j) Building Separation – minimum	2.5 m
k) Lot coverage (subject land, excl road widening) – maximum	35%
l) Building height – maximum	3 storeys – 10.5 m
m) Driveway width – maximum	
1. Single car garage	3 m
2. Double car garage	5.4 m
n) Encroachments	
1. Unenclosed covered or uncovered porch and steps shall be permitted to encroach into the front and exterior side yard of the subject land	2.6 m
2. Unenclosed covered or uncovered porch and steps shall be permitted to encroach into the required setback of a private road from a front façade.	2.6 m
3. Raised decks* shall be permitted to project from the rear façade.	2.2 m
4. Steps of the units fronting onto Davis Drive can encroach up to the property line.	
*Raised deck means a raised platform, with no solid roof or walls, which is supported by vertical uprights, and is only accessible from within the building and can be used as an outdoor living.	

3. That By-law 2010-40, as amended is hereby amended by:

a. Adding the following provisions to Section 8.2.1 List of Holding Provisions:

By-law No.	Property Description	Permitted Uses Until Holding Provision is Removed	Conditions for Removal
2024-XX Date Enacted: November 18, 2024	LT 13 PL 385, PT LTS 10 & 11 PL 385; PT LT 12 PL 385	No person within the lands zoned (H) R4-R-177 Zone shall use any lot or erect, alter or use any buildings or structures for any purpose except for those uses	That sufficient servicing capacity is available, and has been allocated by the Town;

	1041 & 1051 Davis Drive and 15 & 23 Hamilton Drive	<p>which existed on the date of passing of this By-law.</p> <p>Furthermore, no extension or enlargement of the uses which existed on the date of passing of this By-law shall occur unless an amendment to this By-law or removal of the '(H)' prefix, as identified in the next column, is approved by the Council of the Corporation of the Town of Newmarket and comes into full force and effect.</p>	<p>That the Owner has signed the Town's site plan agreement and has posted all performance security contemplated therein;</p> <p>That the Owner has satisfied the affordable housing policies to the satisfaction of the Director, Planning & Building Services.</p>
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4. And that all other provisions of By-law 2010-40, as amended, shall apply to the lands subject to this By-law.
5. That Schedules 1 attached hereto shall form part of By-law 2024-XX.

Enacted this 18th day of November, 2024

John Taylor, Mayor

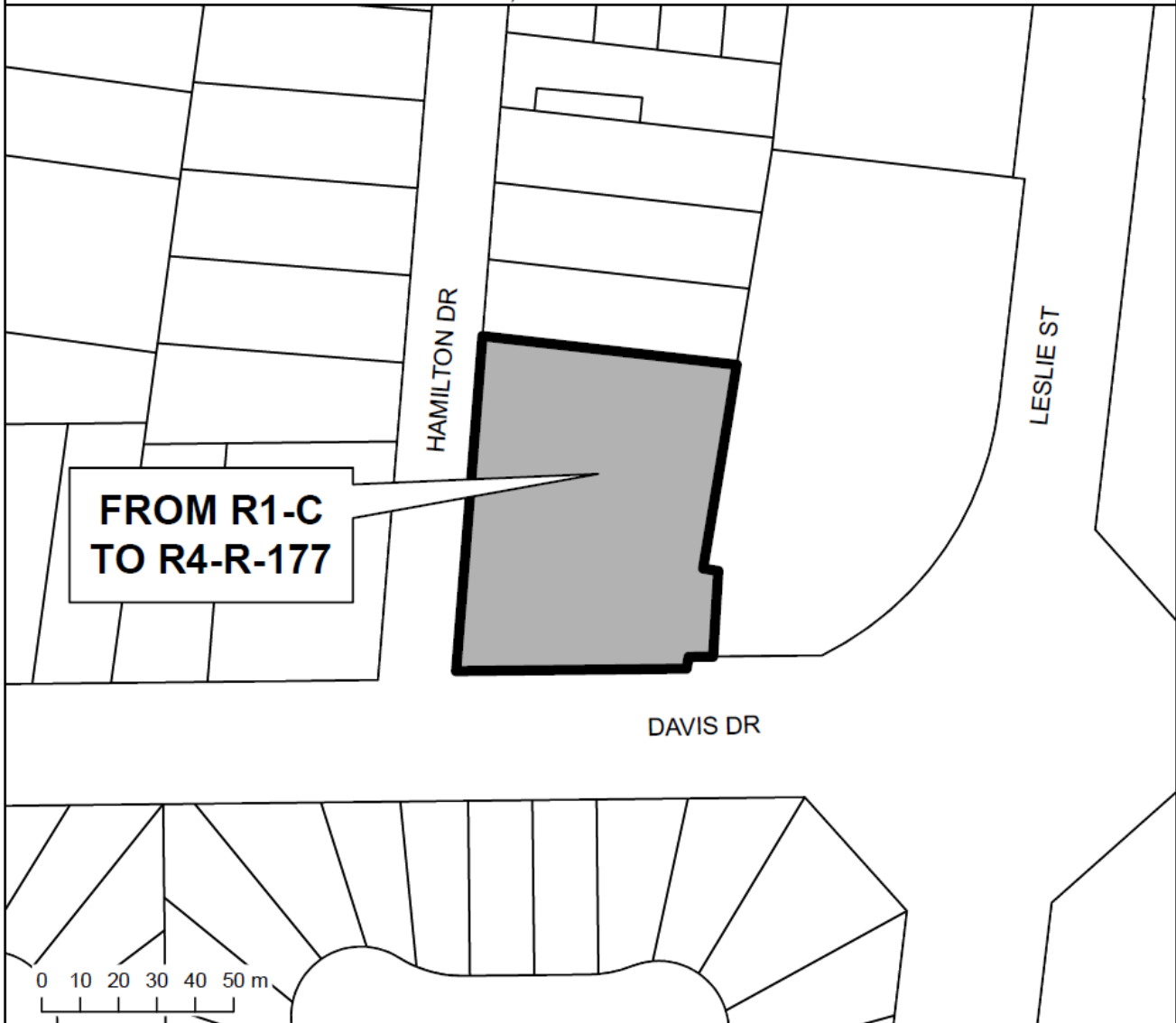
Lisa Lyons, Town Clerk

TOWN OF NEWMARKET
REGIONAL MUNICIPALITY OF YORK
1041,1051 DAVIS DRIVE, 15 HAMILTON DRIVE
PT LTS 10 & 11 PL 385 AS IN R464905 AND R484121; PT
LT 12 PL 385 EAST GWILLIMBURY PT 1, 65R6543; PT LT 1
CON 2 EAST GWILLIMBURY PT 2, 65R6543; NEWMARKET
23 HAMILTON DRIVE
LT 13 PL 385 EAST GWILLIMBURY ; NEWMARKET

This is Schedule '1'
To Bylaw 2024-
Passed this _____ Day
of _____, 2024.

MAYOR

CLERK



SCHEDULE "1" TO BY-LAW 2024-
TOWN OF NEWMARKET PLANNING DEPARTMENT



Designed & produced by Information Technology - DAGS. Printed: October, 2024. Land Parcel Boundaries - © Teranet Inc. and its suppliers. All rights reserved. NOT A PLAN OF SURVEY. 2024. Zoning - Town of Newmarket, 2024. DISCLAIMER: This mapping is based on the POLARIS parcel fabric product compiled using Land Registry System records and recent surveys and control points where available. This mapping is a representation of the earth's surface and provides estimates of area and distance. This map has been produced for illustrative purposes only. It is not a substitute for a legal survey.

Document Path:G:\Projects_PRO\Development_Infrastructure\Genioles\Planning\MapProjects\Zoning\ZBA_Schedule\2010-40_ZBA_Schedule.aprx\ZBA2024_DavisDr_1041_1051_HamiltonDr_15_23